

JK



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/365,735	08/03/1999	ROBERT M. COOPER	06975/050001	2170

26171 7590 05/18/2006
FISH & RICHARDSON P.C.
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

HUYNH, SON P

ART UNIT PAPER NUMBER

2623

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/365,735	Applicant(s) COOPER ET AL.	
Examiner Son P. Huynh	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 February 2006 and 16 March 2006.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 82,85-97,100-111 and 113-117 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 82,85-97,100-111 and 113-117 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 02 February 2003 is/are: a) accepted or b) objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/16/2006 has been entered.

Response to Arguments

2. Applicant's arguments filed 02/16/2006, regarding claims 82, 85-97, 100-111, 113-117 as amended, have been fully considered but they are not persuasive.

Applicant argues the Boyer, Alexander, Alten fail to disclose the features of "determining a local day part appropriate for geographic location", "designating broadcast network from among the two or more broadcast networks based upon the determined local day-part", and "configuring a content display to feature content from the designated broadcast network over content from other of the broadcast networks" because Boyer does not describe or suggest that selection of the different day-parts by the user

Art Unit: 2623

designates one broadcast network over another broadcast network or cause the EPG to feature content from one broadcast network over content from another broadcast network, Alexander discloses changing of the order and the tuning to the favorite channel is based on the current local time and a favorite channel, Alexander neither describes nor suggest that the order of channels/broadcast networks in the grid is determined based on a day-part, much less based on a day-part determined based on the geographic location of the user (see page 9, paragraph 6-page 12, paragraph 4). This argument is respectfully traversed.

In response to Applicant's argument that Boyer does not describe or suggest that selection of the different day-parts by the user designates one broadcast network over another broadcast network or cause the EPG to feature content from one broadcast network over content from another broadcast network, neither independent claim 82 nor 97 recite this limitation. Instead, claim 82 and 97 recite determining a geographic location of a user; determining a local day-part appropriate for the geographic location; receiving content from two or more content sources; designating a content source from among the two or more content sources based upon the determined local day-part, wherein receiving content comprises receiving content from two or more broadcast sources, and wherein receiving content from two or more broadcast sources comprises receiving content from two or more broadcast networks. Boyer discloses the user enter geographic location such as local zip code or any zip code for a local area of interest (see including, but is not limited to, paragraphs 0077-0080). Boyer further discloses the entered zip code/local area is used to customize the program guide displayed to the

Art Unit: 2623

user wherein the customization of program guide web page containing guide features that the user can customize such as channel line-ups and genre specific display colors (see including, but is not limited to, paragraphs 0087, 0089, 0102-0107). Thus, the claimed feature

“determining a geographic location of a user” is broadly interpreted as either the user determines a geographic local to enter or the system determines the geographic location entered by the used so that program web page is customized based on user entered geographic location; furthermore, a local day part appropriated for the geographic location (i.e. local day-part of zip code entered by the user) is inherently determined so that the program guide web page is customized with a day-part (e.g. 1:30 pm to 3:00 pm – figure 16) when the day-part is selected. Boyer further discloses receiving content (such as college football army vs. Navy, college basketball, paid program, etc. – figure 16) from two or more sources (KCBS, KNBC, KCAL, ESPN, etc. – figure 16),

designating a content source (designating/sorting/arranging/organizing KCBS then KNBC, then KTLA and so on – figure 16) from among the two or more content sources (KCBS, KNBC, KTLA, etc. – figure 16) based upon the determined local day-part (i.e. time from 1:30 pm to 3:00 pm),

configuring a content display to feature content from the designated content source over content from other of content source (displaying content from KCBS over content of KNBC, KTLA, etc.;

Art Unit: 2623

wherein receiving content comprises receiving content from two or more broadcast sources (interpreted as KCBS, KNBC, etc. – figure 16), and

wherein receiving content from two or more broadcast sources comprises receiving content from two or more broadcast networks (network connected to KCBS provider, network connected to KNBC provider, etc. – figure 16).

Alternatively, Alexander discloses creating of viewer profile comprises viewer's zip code, times during which the viewer is most likely to watch television, time to change the channel, etc. (col. 28, lines 12-60, col. 32, lines 7-21). Alexander further discloses utilization of viewer profile to customize various aspects of the EPG. One aspect of the EPG that will be customized is the order of the channel slots presented in the Grid Guide. The order of the channel slots are presented can be customized to present the viewer's favorite channels (at particular time) at the top/beginning of the Grid Guide in descending order according to the Viewer's profile. For instance, if a particular viewer frequently watched Nick at Nite on weekday evening from 7 pm to 10 pm (day-parts based on viewer's geographic location/viewer's zip code), then the EPG automatically tunes the television when turned on between 7 pm to 10 pm, to the appropriate Nick at Nite channel and formats the Grid Guide to show the Nick at Nite channel as the first channel in the Grid Guide... (see col. 30, line 45-col. 31, line 8). Thus, Alexander discloses determining a geographic location of a user (e.g. viewer's zip code); determining a local day-part appropriated for the geographic location (e.g. 7 pm to 10 pm based on the viewer's zip code); receiving content from two or more content sources

Art Unit: 2623

(e.g. receiving content from Nick and Nite source, ESPN source, ABC source, FOX source, etc. figure 5 and col. 30, line 45-col. 31, line 8); designating a content source from among the two or more content sources based upon the determined local day-part (e.g. designating/organizing/arranging Nick and Nite as first channel from among ESPN source, ABC source, etc. based upon the determined local day-part between 7 pm to 10 pm on weekday evening); configuring a content display to feature content from the designated content source over content from other of the content sources (e.g. configuring to display Nite and Nike as first channel over ESPN, ABC, etc. between 7 pm to 10 pm on weekday evening), wherein receiving content comprising receiving content from Nite and Nite source, ABC source, CBS source, etc., and wherein receiving content from broadcast networks that provide content of Nick and Nite, content of CBS, content of ABC, content of ESPN, etc.

Therefore, Boyer or Alexander discloses the features of determining local day-part... designating a content source.... as claimed in claims 82 and 97.

For the reason given above, rejections on claims 82, 85-97, 100-111, 113-117 are analyzed as discussed below.

Claims 1-81, 83-84, 98-99, 112, 118-126 have been cancelled.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 82, 85-89, 97, 100-104, 113-115 are rejected under 35 U.S.C. 102(e) as being anticipated by Boyer et al. (US 2004/0128686).

Regarding claim 82, Boyer discloses the user enter geographic location such as local zip code or any zip code for a local area of interest (see including, but is not limited to, paragraphs 0077-0080). Boyer further discloses the entered zip code/local area is used to customize the program guide displayed to the user wherein the customization of program guide web page containing guide features that the user can customize such as channel line-ups and genre specific display colors (see including, but is not limited to, figures 4-6, 16, par. 0051, paragraphs 0065, 0078, 0087, 0089, 0102-0107, 0065, 0116-0118). Thus, Boyer discloses the method as claimed as interpreted below:

determining a geographic location of a user is broadly interpreted as either the user determines a geographic local to enter or the system determines the geographic

Art Unit: 2623

location entered by the user so that program web page is customized based on user entered geographic location;

a local day part appropriated for the geographic location (i.e. local day-part of zip code entered by the user) is inherently determined so that the program guide web page is customized with a day-part (e.g. 1:30 pm to 3:00 pm based on user entered zip code—figure 16) when the day-part is selected.

receiving content (e.g. college football army vs. Navy, college basketball, paid program, etc. — figure 16) from two or more sources (KCBS, KNBC, KCAL, ESPN, etc. — figure 16),

designating a content source (designating/sorting/arranging/organizing KCBS then KNBC, then KTLA and so on — figure 16) from among the two or more content sources (KCBS, KNBC, KTLA, etc. — figure 16) based upon the determined local day-part (i.e. time from 1:30 pm to 3:00 pm based on user entered zip code/area — figure 16),

configuring a content display to feature content from the designated content source over content from other of content source (e.g. configure to display content from KCBS over content of KNBC, KTLA, etc. — figure 16);

presenting the content display to the user (e.g. figure 16), wherein receiving content comprises receiving content from two or more broadcast sources (interpreted as KCBS, KNBC, etc. — figure 16), and

Art Unit: 2623

wherein receiving content from two or more broadcast sources comprises receiving content from two or more broadcast networks (network connected to KCBS provider, network connected to KNBC provider, etc. – figure 16).

Regarding claim 85, Boyer further teaches featuring content from the designated content source comprises configuring the content display to display only content related to the designated content source (only displaying content related to the designated content source associated with the data entered by the user – par. 0102-par. 0103).

Regarding claim 86, Boyer further teaches featuring content from the designated content source comprises configuring the content display to display a majority of content related to the designated content source (e.g. displaying content associated with closest time slot to the current time – par. 0102-par. 0103).

Regarding claim 87, Boyer further teaches featuring content from the designated content source comprises configuring the content display to display content related to the designated content source in a prominent position on the content display relative to a position of content from one or more other content source (e.g. displaying data in time slot 1:30 PM to 3:00 P.M and hidden all the sources not in this time slot – figure 16).

Regarding claim 88, Boyer further teaches featuring content from the designated content source comprises configuring the content display to display content related to

Art Unit: 2623

the designated content source in a prominent manner (displaying on the screen or pink for sports program listings) on the content display relative to a manner of content from one or more other content source (not displaying on the screen or green for movie program listings) – figure 16, par. 0087.

Regarding claim 89, Boyer further teaches the content includes content other than advertising content (e.g. TV program – figures 16, 18).

Regarding claim 113, the claimed feature of “featuring content from the designated content source comprises featuring content in addition to television content” is broadly met by advertisement, description, Internet content, etc. – figures 16.

Regarding claim 114, the claimed feature of “featuring non-television content” is met by program guide, description, advertisement, audio, graphic, colors, logo, etc. (figure 16, par. 0075, par. 0087).

Regarding claim 115, Boyer further discloses the non-television content comprises color, a graphic, text, advertisement, etc. (figure 16, par. 0075, par. 0087).

Regarding claims 97, 100-104, the limitations of the computer program as claimed correspond to the limitations of the method as claimed in claims 82, 85-89. Boyer further discloses using computer program to control all operations of the system (par.0052, par.

Art Unit: 2623

0062). Thus, rejections on claims 97, 100-104 are analyzed as discussed with respect to the rejection of claims 82, 85-89.

5. Claims 82, 89, 97 and 104 are alternatively rejected and claims 90-96, 97, 105-111 are rejected under 35 U.S.C. 102(e) as being anticipated by Alexander et al. (US 6, 177,931).

Regarding claim 82, Alexander discloses creating of viewer profile comprises viewer's zip code, times during which the viewer is most likely to watch television, time to change the channel, etc. (col. 28, lines 12-60, col. 32, lines 7-21). Alexander further discloses utilization of viewer profile to customize various aspects of the EPG. One aspect of the EPG that will be customized is the order of the channel slots presented in the Grid Guide. The order of the channel slots are presented can be customized to present the viewer's favorite channels (at particular time) at the top/beginning of the Grid Guide in descending order according to the Viewer's profile. For instance, if a particular viewer frequently watched Nick at Nite on weekday evening from 7 pm to 10 pm (day-parts based on viewer's geographic location/viewer's zip code), then the EPG automatically tunes the television when turned on between 7 pm to 10 pm, to the appropriate Nick at Nite channel and formats the Grid Guide to show the Nick at Nite channel as the first channel in the Grid Guide... (see col. 30, line 45-col. 31, line 8). Thus, Alexander discloses the claimed features as interpreted blow:

Art Unit: 2623

determining a geographic location of a user (e.g. determining viewer's zip code for creating Viewer's profile to customize aspect feature of program guide);

determining a local day-part appropriated for the geographic location (e.g. determining local day part such as 7 pm to 10 pm weekday evening based on the viewer's zip code);

receiving content from two or more content sources (e.g. receiving content from Nick and Nite source, ESPN source, ABC source, FOX source, etc. figure 5 and col. 30, line 45-col. 31, line 8);

designating a content source from among the two or more content sources based upon the determined local day-part (e.g. designating/organizing/arranging Nick and Nite as first channel from among ESPN source, ABC source, etc. based upon the determined local day-part between 7 pm to 10 pm on weekday evening);

configuring a content display to feature content from the designated content source over content from other of the content sources (e.g. configuring to display Nite and Nike as first channel over ESPN, ABC, etc. between 7 pm to 10 pm on weekday evening);

presenting the content display to user (e.g. presenting Nick and Nite content, ABC content, CBS content, etc. to the viewer – figure 5, col. 30, line 60-col. 31, line 8),

wherein receiving content comprising receiving content from Nite and Nite source, ABC source, CBS source, etc., and wherein receiving content from broadcast networks that provide content of Nick and Nite, content of CBS, content of ABC, content of ESPN, etc.

Art Unit: 2623

Regarding claim 89, Alexander further discloses the content includes content other than advertising content (i.e. television video program – figures 1, 5).

Regarding claim 90, Alexander further discloses receiving advertisement segments (advertisement for displaying in Ad window or ad panel – figure 1, col. 20, line 39-col. 21, line 15), Alexander also discloses receiving one or more advertising segments corresponding to one or more of the content sources (receiving advertisement corresponding to theme, channel, program – see include but is not limited to, col. 26, line 57-col. 27, line 20); identifying one or more advertising segments corresponding to the designated content source (col. 26, line 57-col. 27, line 20, col. 32, line 24-col. 33, line 43; col. 18, line 54—col. 19, line 12; figure 3); configuring the content display to feature one or more advertising segments corresponding to the designated content source over advertising segments from other of the content sources (col. 32, line 24-col. 33, line 43; col. 18, line 54—col. 19, line 12; figure 3).

Regarding claim 91, Alexander further teaches featuring one or more advertising segments corresponding to the designated content source comprises configuring the content display to display only advertising segments related to the designated content source (col. 20, lines 4-12; col. 24, lines 21-29; col. 33, lines 34-43).

Art Unit: 2623

Regarding claim 92, Alexander further teaches featuring one or more advertising segments corresponding to the designated content source comprises configuring the content display to display a majority of advertising segments related to the designated content source (col. 20, lines 4-32; and figure 10).

Regarding claim 93, Alexander further teaches one or more advertising segments corresponding to the designated content source comprises configuring the content display to display advertising segments related to the designated content source in a prominent position on the content display relative to a position of content from one or more other content source (the selected ads is highlighted, detail information of the highlighted source display Ad window- col. 20, lines 4-37; and figure 10).

Regarding claim 94, Alexander further teaches one or more advertising segments corresponding to the designated content source comprises configuring the content display to display advertising segments related to the designated content source in a prominent manner on the content display relative to a manner of content from one or more other content source (the selected ads is highlighted- col. 20, lines 4-32; and figure 10).

Regarding claim 95, Alexander further discloses content is provided to viewer based on local day part of the viewer as discussed in the rejection of claim 82. Alexander further discloses multiple icons related to the highlighted program are displayed in the Guide.

Art Unit: 2623

The icon provides viewer with the option of connecting to the Internet, e.g., to a particular on line chat about the highlighted program (col. 13, lines 35-45, col. 18, line 55+). Apparently, configuring a content display comprises configuring a communication utility based (chat) upon the determined local day part. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boyer to use the teaching as taught by Alexander in order to allow user to communicate to one another.

Regarding claim 96, Alexander teaches configuring a communications utility comprises configuring a chat room (col. 18, lines 35-53).

Claims 97, 104-111 are directed toward embody the method of claims 82, 90-96 respectively in "computer program store in computer readable medium". Alexander further discloses computer program that control the operation of the system (col. 5, lines 20-45). Thus, rejections on claims 105-111 are analyzed as discussed with respect to the rejections of claims 82, 90-96.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2623

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 116- 117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer et al. (US 2004/0128686, and in view of Alten et al. (US 5,635,978).

Regarding claim 116, Boyer discloses a method as discussed in the rejection of claim 82. However, Boyer does not specifically disclose adjusting the look and feel to complement the determined local day part.

Alten discloses configuring content display comprises adjusting the look and feel to complement the first associated day part (e.g. configure content display comprise adjusting to display a sunrise in the background every morning, a blue sky in day time, a nighttime view at night, etc. -col. 11, lines 30-52, figures 5b, 5c, 7a, 7b). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boyer to use the teaching as taught by Alten in order to help ease the monotony of viewing the program listings (col. 11, lines 33-36).

Regarding claim 117, Alten further discloses only background of the display changes (col. 11, lines 30-52). Thus, the look and feel is adjusted without modifying the content being displayed based on the local day part. "enabling presentation of the content display to the user" (figures 16,20,24,29).

Art Unit: 2623

8. Claims 90-96, 105-111 are alternatively rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer et al. (US 2004/0128686 as applied to claimed 89 and 104 above, and further in view of Alexander (US 6,177,931).

Regarding claim 90, Boyer teaches a method as discussed in the rejection of claim 89. Boyer further discloses receiving advertisement segments, identifying the advertisements and configuring the advertisement segment to displaying on the display device. However, Boyer does not specifically disclose the advertisement segment corresponding to the content source.

Alexander discloses receiving one or more advertising segments corresponding to one or more of the content sources; identifying one or more advertising segments corresponding to the designated content source; configuring the content display to feature one or more advertising segments corresponding to the designated content source over advertising segments from other of the content sources (col. 32, line 24-col. 33, line 43; col. 18, line 54—col. 19, line 12; figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boyer to use the teaching of associating advertisement to content source as taught by Alexander in order to provide most suited advertisement to users according to the content network the user accesses to therefore, improve efficiency in advertising.

Regarding claim 91, Alexander further teaches featuring one or more advertising segments corresponding to the designated content source comprises configuring the

Art Unit: 2623

content display to display only advertising segments related to the designated content source (col. 20, lines 4-12; col. 24, lines 21-29; col. 33, lines 34-43;).

Regarding claim 92, Alexander further teaches featuring one or more advertising segments corresponding to the designated content source comprises configuring the content display to display a majority of advertising segments related to the designated content source (col. 20, lines 4-32; and figure 10).

Regarding claim 93, Alexander further teaches one or more advertising segments corresponding to the designated content source comprises configuring the content display to display advertising segments related to the designated content source in a prominent position on the content display relative to a position of content from one or more other content source (the selected ads is highlighted, detail information of the highlighted source display Ad window- col. 20, lines 4-37; and figure 10).

Regarding claim 94, Alexander further teaches one or more advertising segments corresponding to the designated content source comprises configuring the content display to display advertising segments related to the designated content source in a prominent manner on the content display relative to a manner of content from one or more other content source (the selected ads is highlighted- col. 20, lines 4-32; and figure 10).

Art Unit: 2623

Regarding claim 95, Alexander further discloses content is provided to viewer based on local day part of the viewer as discussed in the rejection of claim 82. Alexander further discloses multiple icons related to the highlighted program are displayed in the Guide. The icon provides viewer with the option of connecting to the Internet, e.g., to a particular on line chat about the highlighted program (col. 13, lines 35-45, col. 18, line 55+). Apparently, configuring a content display comprises configuring a communication utility based (chat) upon the determined local day part. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boyer to use the teaching as taught by Alexander in order to allow user to communicate to one another.

Regarding claim 96, Alexander teaches configuring a communications utility comprises configuring a chat room (col. 18, lines 35-53).

Claims 105-111 are directed toward embody the method of claims 90-96 respectively in "computer program store in computer readable medium". Alexander further discloses computer program that control the operation of the system (col. 5, lines 20-45. Thus, rejections on claims 105-111 are analyzed as discussed with respect to the rejections of claims 90-96.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10.

DeWeese et al. (US 2005/0262542) discloses television chat system.

Maissel et al. (US 6,637,029) discloses intelligent electronic program guide.

Saito (US 5,564,088) discloses broadcast signal receiver with means for prioritizing broadcast signals based on previous selection thereof.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 9:00 - 6:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

It is noted that Group Art Unit 2611 has been changed to Group Art Unit 2623

**SPH
May 12, 2005**


**CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**